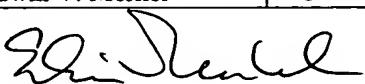


1904 U.S. PTO
10/5/09 16
06/27/03

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No. 176/60807 (6-11406-955) First Inventor Thomas J. Guttuso, Jr. Title METHOD OF TREATING SYMPTOMS OF HORMONAL VARIATION, INCLUDING HOT FLASHES, USING TACHYKININ RECEPTOR ANTAGONIST Express Mail Label No. EV138586781US	
APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i> 3. <input checked="" type="checkbox"/> Specification [Total Pages 17] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications (<i>if applicable</i>) - Statement Regarding Fed sponsored R & D (<i>if applicable</i>) - Reference to sequence listing, a table, or a computer program listing appendix (<i>if applicable</i>) - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (<i>if filed</i>) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <input type="checkbox"/>] 5. Oath or Declaration [Total Pages 2] <ul style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Unsigned c. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (<i>if applicable, all necessary</i>) <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies; or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies 	
ACCOMPANYING APPLICATION PARTS			
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 11. <input type="checkbox"/> English Translation Document (<i>if applicable</i>) 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (<i>if foreign priority is claimed</i>) 16. <input type="checkbox"/> Nonpublication request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: _____			
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 09/879,390 Prior application information: Examiner: S.A. Jiang Group / Art Unit: 1617			
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure, of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
19. CORRESPONDENCE ADDRESS			
<input type="checkbox"/> Customer Number or Bar Code Label		or <input checked="" type="checkbox"/> Correspondence address below	
Name	Nixon Peabody LLP		
Address	Clinton Square, P.O. Box 31051		
City	Rochester	State	NY
Country	USA	Telephone	(585) 263-1128
Name (Print/Type)	Edwin V. Merkel	Registration No. (Attorney/Agent)	40,087
Signature			Date June 27, 2003

FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 384)

<i>Complete if Known</i>	
Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Thomas J. Guttuso, Jr.
Examiner Name	To Be Assigned
Art Unit	To Be Assigned
Attorney Docket No.	176/60807 (6-11406-955)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number

14-1138

Deposit Account Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1001	2001	375	Utility filing fee
1002	2002	165	Design filing fee
1003	2003	260	Plant filing fee
1004	2004	375	Reissue filing fee
1005	2005	80	Provisional filing fee

SUBTOTAL (1) (\$ 375)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	21	-20** = 1 X 9 = 9	9
Independent Claims	1	-3*** = 0 X 42 = 0	0
Multiple Dependent		X = 0	0

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	(\\$)
1202	2202	9 Claims in excess of 20
1201	2201	42 Independent claims in excess of 3
1203	2203	140 Multiple dependent claim, if not paid
1204	2204	42 ** Reissue independent claims over original patent
1205	2205	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 9)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)		
3. ADDITIONAL FEES		
Large Entity	Small Entity	
Fee Code	Fee Code	Fee Description
1051	2051	Surcharge - late filing fee or oath
1052	2052	Surcharge - late provisional filing fee or cover sheet
1053	1053	Non-English specification
1812	1812	For filing a request for <i>ex parte</i> reexamination
1804	1804	Requesting publication of SIR prior to Examiner action
1805	1805	Requesting publication of SIR after Examiner action
1251	2251	Extension for reply within first month
1252	2252	Extension for reply within second month
1253	2253	Extension for reply within third month
1254	2254	Extension for reply within fourth month
1255	2255	Extension for reply within fifth month
1401	2401	Notice of Appeal
1402	2402	Filing a brief in support of an appeal
1403	2403	Request for oral hearing
1451	1451	Petition to institute a public use proceeding
1452	2452	Petition to revive - unavoidable
1453	2453	Petition to revive - unintentional
1501	2501	Utility issue fee (or reissue)
1502	2502	Design issue fee
1503	2503	Plant issue fee
1460	1460	Petitions to the Commissioner
1807	1807	Processing fee under 37 CFR 1.17(q)
1806	1806	Submission of Information Disclosure Stmt
8021	8021	Recording each patent assignment per property (times number of properties)
1809	2809	Filing a submission after final rejection (37 CFR 1.129(a))
1810	2810	For each additional invention to be examined (37 CFR 1.129(b))
1801	2801	Request for Continued Examination (RCE)
1802	1802	Request for expedited examination of a design application
Other fee (specify) _____		
*Reduced by Basic Filing Fee Paid (\$ 0)		
SUBTOTAL (3) (\$ 0)		
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]		
I hereby certify that this correspondence is being:		
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450		
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.		
_____ Date	_____ Signature	
_____ Typed or printed name		

SUBMITTED BY

Name (Print/Type)	Edwin V. Merkel	Registration No. (Attorney/Agent)	40,087	Telephone	(585) 263-1128
Signature				Date	June 27, 2003

SEND TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

DOCKET NO.: **176/60807 (6-11406-955)**

APPLICANT: **Thomas J. Guttuso, Jr.**

TITLE: **METHOD OF TREATING SYMPTOMS OF HORMONAL VARIATION, INCLUDING HOT FLASHES, USING TACHYKININ RECEPTOR ANTAGONIST**

Certificate is attached to the **Utility Patent Application Transmittal Letter (1 page) (in duplicate) and Fee Transmittal (1 page) (in duplicate)** of the above-named application.

EXPRESS MAIL NUMBER: **EV138586781US**

DATE OF DEPOSIT: **June 27, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

EXPRESS MAIL CERTIFICATE

DOCKET NO.: **176/60807 (6-11406-955)**

APPLICANT: **Thomas J. Guttuso, Jr.**

TITLE: **METHOD OF TREATING SYMPTOMS OF HORMONAL
VARIATION, INCLUDING HOT FLASHES, USING
TACHYKININ RECEPTOR ANTAGONIST**

Certificate is attached to the **Patent Application including specification, claims and abstract (17 pages)** as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: **EV138586781US**

DATE OF DEPOSIT: **June 27, 2003**

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Shawn A. Lockett

(Typed or printed name of person mailing
paper or fee)



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